IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3445 OF 2007

Vidya Petroleum India Pvt. Ltd.
and Anr. .... Petitioners.

V/s

Maharashtra Industrial Development
Corporation and Ors. .... Respondents.

Mr. M.R. Phal for the Petitioners.

Mr. P.P. Chavan i/b Little & Co. for Respondent Nos. 1 to 3.

Mr. Shailesh Shah i/b Mr. Vinod K. Sharma for Respondent No.4.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.
DATE : 17th December, 2007.

P.C.:

1. Rule. Rule is made returnable forthwith. Heard by consent of the parties.

2. 81000 sq. meters of plot belonging to Respondent No.1 was to be disposed of. Tenders were invited. The Petitioners submitted their tender. On the opening of tenders, it was found that the offer made by the Petitioners, offering rate of Rs 95 per sq. meter was the highest. The offer of the Petitioners was not accepted. The Respondent No.1 proposed to accept the bid of Respondent No.4 which was for Rs 61/- per sq. meter. When the matter was heard, the

learned Counsel appearing for Respondent No.4 stated that the Respondent No.4 is willing to match the offer made by the Petitioners. We, however, made it clear to the parties that the Respondent No.4 cannot get public property merely by matching the bid given by the Petitioners. He will have to better that bid. That suggestion was accepted by both the parties and, therefore, with the consent of Respondent No.1, the Petitioners and the Respondent No.4, we held the bid in Court between the Petitioners and the Respondent No.4. The highest bid was given by Respondent No.4 for Rs 201/- per sq. meter.

3. The learned Counsel for Respondent Nos. 1 to 3 has no objection to the land being given to Respondent No.4 at the rate of Rs 201/- per sq. meter. The learned Counsel appearing on behalf of the Petitioners also states that as he has been out-bidded now, he has no grievance against the acceptance of the bid of Respondent No.4 for the property.

4. Petition is, therefore, disposed of with a direction to Respondent Nos. 1 to 3 to allot the land to the Respondent No.4 at the rate of Rs 201/- per sq. meter. Other conditions of the tender shall remain the same.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)